

REMARKS

Applicant filed a response, dated June 17, 2008, to the Final Office Action mailed April 28, 2008. The Examiner mailed an Advisory Action on August 14, 2008 which included comments on the arguments made in Applicant's response. Applicant submits the amendment to address the Examiner's comments in the Advisory Action and to make amendments to claims 49, 71, and 93. The application as presented is believed to be in condition for allowance.

Status of Claims

Claims 1, 14, 16, 49-50, 52, 54-57, 68, 70-72, 74, 76-79, 90, 92-94, 96, 98-101, 112, and 114-115 are rejected under 35 U.S.C. §102(b) as purportedly being unpatentable over Olbricht (6,429,952), and claims 15, 51, 53, 58-67, 69, 73, 75, 80-89, 91, 95, 97, 102-111, and 113 are rejected under 35 U.S.C. §103(a) as purportedly being obvious over Olbricht in combination with various other references.

Claim 1

Claim 1 recites, *inter alia*, an act of, "in response to selection of the button, retrieving at least one picture that includes content previously associated with the electronic document."

In Applicant's previous response, Applicant pointed out that Olbricht fails to disclose or suggest the limitation of claim 1 that recites, "in response to selection of the button, retrieving at least one picture that includes content previously associated with the electronic document." Applicant noted that, in Olbricht, the image that is streamed from the scanner to the web browser is a not an image that was previously associated with the web page. Applicant noted that, in Olbricht, an image is not even created until the user selects the "Scan" button and therefore cannot have been previously associated with the electronic document. Thus, in Olbricht, when a user selects the "Scan" button, a new image is streamed from the scanner to the web browser, not an image previously associated with the electronic document.

In response to this argument, the Examiner indicates that when a user is presented with a preview image generated by the scanner, the preview image is associated with the electronic

document. The Examiner appears to assert that when the “Scan” button is pressed, the preview image previously associated with the document is retrieved. Applicant respectfully disagrees.

In Olbricht, when the “Scan” button is pressed, an image in the scanner is scanned and a new image is generated. Thus, when the “Scan” button is pressed, an image previously associated with the electronic document is **not** retrieved. Rather, a newly generated image that has not been previously associated with the document is sent from the scanner to the browser. Thus, Olbricht fails to disclose or suggest that, “in response to selection of the button, retrieving at least one picture that includes content previously associated with the electronic document.”

If the rejection is to be maintained, Applicant respectfully requests clarification as to how the Examiner is interpreting Olbricht to disclose that the image that is generated by the scanner when the Scan button is pressed to be the same image as the image that is generated when the Preview button is pressed.

Claims 49, 71, and 93

Each of independent claims, as amended, 49, 71, and 93 includes a limitation that relates to associating the at least one image captured by the image capture application with the first location in the first electronic document, so that the at least one image is retrievable in response to selection of a second button at the first location in the first electronic document.

The Examiner appears notes that, in Olbricht, when an image is scanned, it is temporarily displayed in the web page and contends that this creates an association between the image and the web page. Even if one considers such a scanned image to be associated with the electronic document, this image is not retrievable in response to selection of a button. That is, if the “Scan” or “Preview” buttons are again selected after the scanned image is displayed in the web page, the scanned image is not retrieved. Rather, a new image is generated and displayed in the web page.

Claim 115

In Applicant’s previous response, Applicant pointed out that Olbricht fails to disclose or suggest the limitation of claim 115 that recites, *inter alia*, an act of, “in response to selection of the

button, calling the data capture application so that the data capture application provides a live view from the data capture device on the display.”

The Examiner appears to contend that, in Olbricht, when the user selects the Preview option a live view is provided. Applicant respectfully disagrees.

The Preview button of Olbricht causes a static image captured at the point in time that the Preview image was captured to be displayed in the web page. The view provided is not a live view. That is, if the content of the scanner changes after the Preview button is selected, the view provided to the user remains the same (i.e., the previously captured image is still displayed) until the Preview or Scan button is selected again.

If the rejection is to be maintained, clarification as to how the Examiner considers the image displayed in response to selection of the Preview button to be a “live view” is respectfully requested.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: October 28, 2008

Respectfully submitted,

By 

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